

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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DICK ANTHONY HELLER, et al., )  
Plaintiffs-Appellants, )  
v. ) Case No. 10-7036  
DISTRICT OF COLUMBIA, et al., )  
Defendants-Appellees. )  
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)

**UNOPPOSED MOTION TO SUBSTITUTE PARTIES  
PARTICIPATING IN BRIEF *AMICI CURIAE*  
OF THE BRADY CENTER TO PREVENT GUN VIOLENCE  
AND REPRESENTATION OF CONSENT**

Pursuant to Fed. R. App. P. 29 and D.C. Cir. Rule 29, the Brady Center To Prevent Gun Violence (Brady Center) hereby moves this Court for permission to substitute parties participating with it as *amici curiae* in support of defendants-appellees in *Heller, et al., v. District of Columbia, et al.*, No. 10-7036.

1. By Notice of Appeal dated April 1, 2010, Dick Anthony Heller, Absalom F. Jordan, Jr., William Carter, and Mark Snyder, plaintiffs in *Heller, et al., v. District of Columbia, et al.*, No. 1:08-cv-01289-RMU (D.D.C.), appealed to this Court from the district court's March 26, 2010 order, which denied plaintiffs' motion for summary judgment and granted defendants' motion for summary judgment.

2. On April 2, 2010, the district court transmitted to this Court plaintiffs' Notice of Appeal, the Order Appealed, and the Docket Sheet in *Heller, et al., v. District of Columbia, et al.*, No. 1:08-cv-01289-RMU (D.D.C.). On April 22, 2010, plaintiffs filed a Civil Docketing Statement in this case.

3. On May 31, 2010, the Brady Center and the Legal Community Against Violence filed a notice of intent to participate as *amici curiae* pursuant to Fed. R. App. P. 29 and D.C. Cir. Rule 29.

4. The Legal Community Against Violence will no longer be joining the Brady Center on the brief. Instead, the Brady Center seeks leave to be joined on the brief by the Hispanic American Police Command Officers Association, the International Brotherhood of Police Officers, and the National Black Police Association.

5. The Brady Center is a non-profit organization dedicated to reducing gun violence through education, research, and legal advocacy. Through its Legal Action Project, the Brady Center has filed numerous briefs *amicus curiae* in cases involving the constitutionality of gun laws, including in *McDonald v. City of Chicago*, 130 S. Ct. 3020 (2010), *District of Columbia v. Heller*, 128 S. Ct. 2783 (2008), *United States v. Skoien*, No. 08-3770, 2010 WL 2735747 (7th Cir. May 10, 2010) (en banc), *United States v. White*, 593 F.3d 1199 (11th Cir. 2009), and *City of Chicago v. United States Department of Justice*, 423 F.3d 777 (7th Cir. 2004).

6. The Hispanic American Police Command Officers Association represents 1,500 command law enforcement officers and affiliates from municipal police departments, county sheriffs' offices, and state and federal agencies.

7. The International Brotherhood of Police Officers is one of the largest police unions in the country, representing more than 50,000 members.

8. The National Black Police Association represents approximately 35,000 individual members and more than 140 chapters.

9. *Amici* have a compelling interest in ensuring that the Second Amendment does not stand as an obstacle to strong governmental action to prevent gun violence. *Amici*'s advocacy and litigation efforts focus on the problem of gun violence and its impact on domestic-violence victims, law-enforcement personnel, and society at large. *Amici* respectfully suggest that they will accordingly bring a unique perspective to these concerns.

10. Pursuant to D.C. Cir. Rule 29(d), these *amici* intend to file a single joint brief *amici curiae* in support of defendants-appellees.

11. *Amici* have been authorized by counsel for plaintiffs-appellants and counsel for defendants-appellees to represent that plaintiffs-appellants and defendants-appellees, respectively, do not object to the substitution of parties and consent to their participation as *amici curiae*.

Wherefore, the Brady Center respectfully moves this Court to permit the participation of the Hispanic American Police Command Officers Association, the International Brotherhood of Police Officers, and the National Black Police Association in its brief *amici curiae* in the instant case.

Respectfully submitted,

/s/ Paul R.Q. Wolfson

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PAUL R.Q. WOLFSON  
*Counsel of Record*  
A. STEPHEN HUT  
JOSHUA M. SALZMAN  
LAURA MORANCHEK HUSSAIN  
FRANCESCO VALENTINI  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
1875 Pennsylvania Avenue NW  
Washington, DC 20006  
(202) 663-6000  
paul.wolfson@wilmerhale.com

Dated: September 17, 2010

*Counsel for Amici Curiae*

## **CORPORATE DISCLOSURE STATEMENT**

Pursuant to Fed. R. App. P. 26.1 and D.C. Cir. Rule 26.1, the Brady Center To Prevent Gun Violence states that it is a § 501(c)(3) non-profit corporation dedicated to reducing gun violence through education, research, and legal advocacy. The Brady Center To Prevent Gun Violence has no parent corporation, and no publicly held corporation holds ten percent or more of its stock.

The Hispanic American Police Command Officers Association states that it is a § 501(c)(3) non-profit corporation dedicated to reducing gun violence through education, research, and legal advocacy. The Hispanic American Police Command Officers Association has no parent corporation, and no publicly held corporation holds ten percent or more of its stock.

The International Brotherhood of Police Officers states that it is a § 501(c)(3) non-profit corporation dedicated to reducing gun violence through education, research, and legal advocacy. The International Brotherhood of Police Officers has no parent corporation, and no publicly held corporation holds ten percent or more of its stock.

The National Black Police Association states that it is a § 501(c)(3) non-profit corporation dedicated to reducing gun violence through education, research, and legal advocacy. The National Black Police Association has no parent

corporation, and no publicly held corporation holds ten percent or more of its stock.

/s/ Paul R.Q. Wolfson

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PAUL R.Q. WOLFSON  
*Counsel of Record*  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
1875 Pennsylvania Avenue NW  
Washington, DC 20006  
(202) 663-6000  
[paul.wolfson@wilmerhale.com](mailto:paul.wolfson@wilmerhale.com)

September 17, 2010

*Counsel for Amici Curiae*

## **CIRCUIT RULE 28 CERTIFICATION**

Except for the Hispanic American Police Command Officers Association, the International Brotherhood of Police Officers, and the National Black Police Association, all parties, intervenors, and amici appearing before the district court and in this Court are listed in the Brief for Appellees.

/s/ Paul R.Q. Wolfson

PAUL R.Q. WOLFSON  
*Counsel of Record*  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
1875 Pennsylvania Avenue NW  
Washington, DC 20006  
(202) 663-6000  
[paul.wolfson@wilmerhale.com](mailto:paul.wolfson@wilmerhale.com)

September 17, 2010

*Counsel for Amici Curiae*